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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,896	12/26/2000	Yan Zhao	02950P049	9628

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 06/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/752,896

Applicant(s)

ZHAO, YAN

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-15, 17-23 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

This is in response to amendment filed 05/08/03.

### ***1. Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

### **2. Claims 1, 3-15, 17-23 and 25 stand rejected under 35 U.S.C. 102(e) as being anticipated by Cameron et al. (U.S 6202062) (Cameron).**

Regarding claim 1, Cameron disclose: A network system comprising: an analysis engine (1070, fig. 10A and corresponding text, Cameron) interacts with a user profile server (1003, fig. 10B and corresponding text, Cameron) and a content management system (1005, fig. 10B and corresponding text, Cameron), the analysis engine to perform at least one analysis in real time (col. 36, lines 56-67, Cameron);

the user profile server to perform one of collection and management of user data (col. 40, lines 42-64, Cameron); and

the content management system to manage a plurality of content types for a plurality of service points in real-time (col. 41, lines 2-7, Cameron), wherein a service point supports a specific content type (col. 41, lines 60 to 42, lines 6, Cameron).

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In addition, Cameron disclose: wherein the content management system is to provide a plurality of results having personalized content for a plurality of service points (col. 42, lines 7-27, Cameron).

Regarding claims 11 and 18, Cameron disclose: A method and a machine readable storage media containing executable program instructions which when executed cause a digital processing system to perform a method comprising:

accessing a customer profile and preferences (col. 42, lines 29-50, Cameron);

sending the customer profile and the preferences to an analysis engine (col. 42, lines 29-50, Cameron);

accessing recommended items in real-time (col. 41, lines 2-8, Cameron);

retrieving content for at least one recommended item (col. 41, lines 35-57, Cameron);

supporting a content type by a service point (col. 41, lines 60 to col. 42, lines 6, Cameron); and

managing a plurality of content types for a plurality of service points (col. 41, lines 2-7, Cameron);

retrieving a first content by a first service point using results from a first analysis see col. 41, lines 12-16, Cameron); and

retrieving a second content by a second service point using the results from the first analysis (col. 41, lines 24-52, Cameron).

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Regarding claim 3, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Cameron disclose: wherein a first service point serves the purpose of one of recommendation of an agent to an agent desktop, supporting a request to route data, supporting a request for agent assignment, and an outbound campaign service (col. 43, lines 63 to col. 44, lines 12, Cameron).

Regarding claims 4, 12 and 20, most of the limitations of these claims have been noted in the rejection of claims 1, 11 and 18 above, respectively. In addition, Cameron disclose: wherein the analysis engine is to collect data from a plurality of customer contact points (col. 38, lines 1-26, Cameron).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Cameron disclose:, wherein a user profile server is coupled to an analysis engine and a content management system (1850, 1820, fig. 18 and corresponding text, Cameron), the content management system manages the plurality of content types (col. 42, lines 7-27, Cameron).

Regarding claims 5, 14 and 22, most of the limitations of these claims have been noted in the rejection of claims 1, 12 and 21 above, respectively. In addition, Cameron disclose: wherein the user profile server includes one of static profile attributes (col. 40, lines 5-21, Cameron) and dynamically generated attributes (col. 41, lines 1-26, Cameron).

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Regarding claims 6, 15 and 23, most of the limitations of these claims have been noted in the rejection of claims 5, 11 and 22 above, respectively. In addition, Cameron disclose: wherein input from one of a first agent and a second agent updates one of the static profile attributes (col. 43, lines 2-11, Cameron) and the dynamically generated attributes (col. 44, lines 35-45, Cameron).

Regarding claim 7, most of the limitations of this claim have been noted in the rejection of claim 1, Cameron disclose: wherein a first service point retrieves a first content using results from a first analysis (col. 41, lines 8-20, Cameron); and a second service point retrieves a second content using the results from the first analysis (col. 41, lines 8-20, Cameron).

Regarding claim 8, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Cameron disclose: comprising: a client request is associated with a first agent by a service point (col. 38, lines 46 to col. 39, lines 5, Cameron).

Regarding claim 9, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Cameron disclose: wherein the user profile server is coupled to a data repository for service data and metadata (1830, 1840, fig. 18 and corresponding text, Cameron).

Regarding claims 10, 17 and 25, most of the limitations of these claims have been noted in the rejection of claims 1, 12 and 22 above, respectively. In addition, Cameron disclose:

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wherein the user profile server, the analysis engine, and the content management system operated on one of a local and remote server (col. 58, lines 38-52, Cameron).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 11 above. In addition, Cameron disclose: wherein the customer profile is provided by a user profile server coupled to an analysis engine (1850, 1820, fig. 18 and corresponding text, Cameron).

### **3. *Response to Amendment (filed 05/08/03)***

Applicant argues: Cameron does not describe wherein the content management system is to provide a plurality of results having personalized content for the plurality of service points. In response, Cameron clearly disclose: wherein the content management system (as the profile gateway server, col. 42, lines 13-15) is to provide a plurality of results having personalized content (as profile database, col. 42, lines 13-19) for the plurality of service points as televisions 1740, mobile phones, smart cards, gas meters, water meters, security systems, desktop computers, laptops, pocket organizers, PDAs, etc, also see col. 42, lines 19-23.

Applicant argues: Cameron does not disclose: retrieving a first content by a first service point using results from a first analysis and retrieving a second content by a second service point using the results from the first analysis. In response, Cameron clearly disclose: retrieving a first content by a first service point using results from a first analysis as the server retrieves the formulas 1550 from the content database 1560 that will be used to calculate the user-centric statistics, also see col. 41, lines 12-16; and retrieving a second content by a second service point using the results from the first analysis as consumer report-like service that is customized for

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each user based on a user profile. The system records and provides ratings from users about product quality and desirability on a number of dimensions, see also col. 41, lines 24-52.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

#### **4. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fernandez et al. (U.S 5956720). Method and apparatus for web site management.

Matsumori (U.S 6179206). Electronic shopping system having self-scanning price check and purchasing terminal.

Gershman et al. (U.S 6199099). System, method and article of manufacture for a mobile communication network utilizing a distributed communication network.



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Gershman et al. (U.S 6401085). Mobile communication and computing system and method.

**5. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen

May 28, 2003

  
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